HUMANITARIAN REASSIGNMENTS/EARLY RETURNS

PERS 40HH

POINTS OF CONTACT

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DSN Prefix: 882

BASIC CRITERIA

- Reference: MPM Article 1300-500
- Severe Hardship Exists
- Hardship Occurred or Aggravated by Sailor’s Active Duty
- Affects Sailor’s Immediate Family
- No Other Family Members in Area

BASIC CRITERIA (cont.)

- Reasonable Effort Has Been Made By Member to Alleviate Hardship
- Hardship Involving Illness/ EFM Enrollment Required Prior to Request
- Member’s Presence Required for Specific Reasons Other Than Morale or Financial
- Hardship is Resolvable Within Reasonable Period of Time (normally less than 6 months)

REASSIGNMENT REQUESTS NOT CONSIDERED

- Financial or Business Reasons
- Settling of Estates
- Indebtedness
- Personal Convenience
- Purpose of Attending to or Assisting Grandparents, (other than loco-parentis) or Others Not Immediate Family

REASSIGNMENT REQUESTS NOT CONSIDERED (cont.)

- Purpose of Children in School (exception is made for children requiring spec. ed.)
- Part-time Employment of Member/Employment of Spouse
- Member Bought or Owns Home
- Member’s Own Physical or Mental Condition

COMMON MISCONCEPTIONS

- Automatic Hardship Discharge
- Command does not have to forward request
- PERS-40 processes Officer Humanitarian Requests
- Humanitarian Reassignment Request processing takes 3-6 months
- Member has unlimited negotiation time after a Humanitarian Reassignment tour

HARDSHIP REQUESTS

- FOLLOWING ARE NOT SUFFICIENT TO SHOW A HARDSHIP:
  - Death of a Parent When Other Family Members Are Surviving;
  - Threatened Separation or Threatened Divorce or Normal Anxiety/Depression Due to Military Assignments;
  - Normal Pregnancy, Threatened Miscarriage, Breech Birth, Caesarean Section, or RH Incompatibility

MEMBER'S RESPONSIBILITY

- Submit Request for Humanitarian Reassignment IAW MILPERSMAN ARTICLE 1300-500 to the Chain of Command
- Read the Entire Article Prior to Completing Letter
- Ensure all supporting documentation is signed and dated

COMMAND RESPONSIBILITY

- Review Request for Accuracy/Validity
- Ensure Member's Request includes:
  - No Cost Statement
  - Hardship Discharge Statement
  - Privacy Act Statement
- Ensure Command Endorsement is drafted as shown in Exhibit 2 of MILPERSMAN Article 1300-500
- Forward Request to PERS-40HH for final disposition

PERS-40HH RESPONSIBILITY

- Review Package
- Inform Command of any missing key elements and/or package is not Complete
- Make Recommendations, Convene Board
- Forward Recommendations to PERS 40BB/ Director for final decision
- Inform Command via Naval Message

SUMMARY OF CHANGES

- In-Laws are included
- Needs of the Navy Orders if member does not accept orders within 30 days.
- Copy of PCS orders not required with package

MILPERSMAN 1300-306
EARLY RETURN/REASSIGNMENT DUE TO UNSUITABILITY

PERS 40HH

MILPERSMAN 1300-306
EARLY RETURN/REASSIGNMENT DUE TO UNSUITABILITY

- Procedures
  - a. Report Submission

    - (1) All requests for early return/reassignment must be submitted as an Overseas Screening Deficiency Report (OSDR)/Request for Early Return (Exhibit 1) by Naval message or via BOL.

    - (2) Ensure the transferring medical treatment facility's (MTF) name and unit identification code (UIC) are provided in para. 1C of the OSDR/Request for Early Return message.

    - (3) Requests for early return/reassignment will be submitted expeditiously, within 10 working days of receipt of information

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- **Transfer/Assignment Decision.**

  - a. Requests submitted due to unsuitability/de-screening of family member(s) will result in the transfer of member and family member(s) to an assignment for which eligible based upon the Exceptional Family Member (EFM) category assigned.

  - b. Assignment will be per requisition priority and sea/shore rotation to valid billets of member's rate. Assignments made due to EFM issues do not alter sea/shore rotation.

  - c. Orders directing transfer will normally be issued within 21 days. Detachment from current duty station will be directed to take place within 60 days of orders being released, unless a specific detachment date is requested.

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- **Exceptional Family Member(s)**
  - a. Members with EFM(s) will complete forms per MILPERSMAN 1300-700. Enrollment in the EFM program is mandatory per OPNAVINST 1754.2A and must be completed prior to submission of an early return/reassignment request.
  - b. Assignment of an EFM category will be accomplished by NAVPERSCOM, Personal and Family Readiness Branch (PERS-662) prior to a decision being made regarding a request for early return/reassignment.

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- **Not a Discipline Substitute**. Early Return is not be used as a means of transferring personnel in lieu of appropriate disciplinary or administrative action, i.e., non-judicial punishment (NJP), courts-martial, administrative separation processing, etc.,

- **E-3 and below Personnel**. E-3 and below personnel with dependent(s) or E-3 and below personnel who are pregnant will not normally be assigned OCONUS.

  - a. Immediately upon reporting, if it is determined the member, E-3 and below, has acquired dependent(s), **appropriate action as authorized in MPM 1300-306 should be taken**.

  - b. Submission of an OSDR/Request for Early Return must be submitted immediately, if deemed appropriate.

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- **Medical Issues**. Active Duty Sailors with medical issues for which the local MTF cannot provide care or treatment **will** utilize the Medical Evacuation (MEDEVAC)/TEMDU process vice Early Return/Reassignment Program

  - a. For pregnancies of members that occur after arrival at new permanent duty station, submit a pregnancy avails (DP availability) report.
    - (1) If a member reports to the new overseas permanent duty station and an early return/reassignment is deemed appropriate, submit a DP Avail and OSDR (Exhibit 1).
    - (2) OPNAVINST 6000.1C contains policies and procedures regarding pregnant members.
    - (3) Information relative to single members and military married to military with dependent(s) is contained in OPNAVINST 1740.4D.

  - b. When it is determined that family member(s) of a member will be de-screened and movement of the family member(s) only is appropriate, return family member(s) to the nearest CONUS MTF capable of providing care/treatment. Refer to OPNAVINST 4650.15A for additional guidance.

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- **Overseas Screening Deficiency Report**
  - a. An OSDR will be submitted when an overseas command receives improperly screened personnel/family member(s). It is a report of discrepancies in the screening process conducted by the previous duty station that **does not require an early return**.
  - b. The MCA shall task the immediate superior in command (ISIC) of the transferring activity to correct those conditions that caused the improper screening.
- **Overseas Screening Deficiency Report/Request for Early Return**
  - a. This reports discrepancies in the screening process conducted by the previous duty station that **require an early return** of the member/family member(s) after reporting to the receiving command.
  - b. It also requests early return of family member(s) and members who were properly screened at time of transfer, **but after transferring** developed problems resulting in unsuitability for overseas duty and transfer is the only feasible solution.

ONGOING ISSUES

- Lack of Communication between Medical Treatment Facilities of transferring/gaining commands. $$$$$!!
- Confusion regarding the process of return of active sailors with medical issues. MILPERSMAN 1306-1600
- Difference between Early Return(ER) and Early of Dependents(ERD)